

**To:** "Michael Brodsky" [michael@brodskylaw.net]  
**From:** CN=Karen Schwinn/OU=R9/O=USEPA/C=US  
**Sent:** Wed 11/16/2011 12:59:35 AM  
**Subject:** Re: BDCP defining project purpose

Michael -

We did get a response in October of last year. You can find it on our website

[www.epa.gov/water/  
watershed/sfbay-delta](http://www.epa.gov/water/watershed/sfbay-delta)

See in particular the last paragraph for how our concerns were largely addressed.

Since that letter, the federal lead bdcop agencies have redrafted their Purpose statement for NEPA to reflect this interpretation. You'll see that when the DEIS is issued next year.

Feel free to call me if you have any questions. - Karen

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From: Michael Brodsky [michael@brodskylaw.net]  
Sent: 11/15/2011 04:40 PM PST  
To: Karen Schwinn  
Subject: BDCP defining project purpose

Dear Ms. Schwinn,

I represent a local environmental group in Discovery Bay, CA, that is dedicated to improving ecological values in the Delta. We are concerned with the proposed peripheral canal. I am currently preparing comments in response to an invitation to comment from Reclamation with regard to the recent controversy over the status of the water contractors in shaping the environmental review process (due tomorrow at 5 p.m.).

In getting up to speed on the issue I reviewed a June 10, 2010, letter from EPA to the federal lead agencies. The letter expressed concern that the project purpose was not clearly defined. Specifically that an apparent commitment in the project description to restore "full contract levels" of water exports was undefined. EPA suggested that this aspect of the project description be formally revised.

I am writing to ask if the lead agencies ever responded to EPA's letter and if the project description was ever revised to settle what "full contract amounts" was intended to mean.

Thank you in advance for any help you may be able to give.

Michael Brodsky

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